

## REMARKS

This Amendment is submitted in response to the Office Action mailed September 13, 2005 in this RCE proceeding. The prior independent claims under consideration (Claims 1, 22, 43) have been replaced with new claims (Claims 64, 65, and 66, respectively). Dependent claims have been amended as necessary to preserve the prior dependencies, so that Claim 2 now depends from Claim 64 rather than Claim 1, and so forth. It is asserted that the new independent claims are patentable over the prior art of record.

Thus, Claims 1, 22, and 43 have been replaced by Claims 64, 65, and 66, respectively. Claims 15-21, 36-42, and 57-63 were the subject of a previous restriction requirement and were not elected, and consequently, they are indicated in the Claim Listing above as "withdrawn". Thus, Claims 2-14, 23-35, 44-56, and 64-66 are pending.

### The Cited Prior Art

In the pending Office Action, the Examiner cited the combination of the Matsuno patent and the Iwao patent. Matsuno was cited for showing all the elements in the claims except that the Examiner acknowledged that Matsuno "fails to teach use of a designated button on the input device for initiating the display of range information" (see Office Action at page 4, last paragraph of Section 2). The Iwao patent was cited for showing "use of a designated button to initiate the display of range information" (Office Action at Page 4, citing to Iwao at col. 10, lines 38-42 and col. 11, lines 48-58).

### The New Claims

The new independent claims (Claims 64, 65, 66) comprise the originally filed independent claims (1, 22, 43) with these additional limitations:

- (1) the independent claims recite displaying a plurality of candidate objects on a display screen, rather than "one or more" objects;
- (2) the claims recite displaying a visual indication in association with a first candidate object of the displayed plurality of candidate objects in response to the

first candidate object intersecting at least a portion of the candidate range indicator on the display screen;

(3) the claims recite that the visual indication of (2) above is displayed in association with a first designation input interface comprising a system-assigned button on the input device; and

(4) the claims recite causing a predetermined action from the initial object with respect to the candidate object in response to actuation of the first designation input interface button of the input device.

It is submitted that these features are supported by the disclosure as originally filed, and are not disclosed or suggested by the prior art of record.

#### **The Disclosed System**

With respect to the limitations in the new claims, Figure 10 of the drawings shows that a plurality of candidate objects 420 are shown in a display and a range indication 440 is displayed in association with a first candidate object 420b in response to actuation of an input button 275 on the input device 120. This feature relates to the limitation (1) noted above. Figure 10 also shows that a visual indication 710b is displayed in association with the first candidate object 420b intersecting at least a portion of the range indicator 440 on the display screen (limitation (2) above). Figure 10 also shows that the visual indication being displayed in association with a first designation input interface comprising a system-assigned button 250 on the input device (limitation (3) above). This feature is described in the specification at page 24, lines 1-3 and page 28, lines 1-19. A predetermined action is performed in response to actuation of the first designation input interface button of the input device (limitation (4) above).

#### **Patentability**

None of the cited references shows or suggests a system that displays a plurality of candidate objects such that a visual indication in association with a first object is displayed in response to the first object intersecting a candidate range indicator, wherein the visual indication is displayed in association with a first

designation input interface comprising a system-assigned button. In the specification, it is noted that the system CPU 300 assigns candidate objects 420 to target slots for targeting, and associates targeted objects 420 with one of several input interface controller buttons 250, 255, 260, 265 of the input device 120 (see paragraph bridging page 23 and 24, and page 28, lines 1-19).

In contrast, Matsuno describes an input device 3 for the system user to provide operating instructions (col. 4, lines 56-59). There is no further detail provided about the input device, except that it can control a display cursor to select menu items (col. 10, lines 2-5). Matsuno says nothing about the claim limitations of (1) displaying a plurality of candidate objects on a display screen, (2) displaying a visual indication in association with a first candidate object of the displayed plurality of candidate objects in response to the first candidate object intersecting at least a portion of the candidate range indicator on the display screen, wherein (3) the visual indication is displayed in association with a first designation input interface comprising a system-assigned button on the input device, and (4) causing a predetermined action from the initial object with respect to the candidate object in response to actuation of the first designation input interface button of the input device.

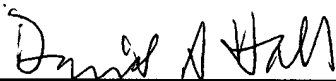
The Iwao patent does not make up for the shortcomings of Matsuno. Iwao describes a control unit 30 with a button 35 to initiate the display of range information. The button 35, however, is not associated with any candidate (target) object in the display. Iwao says nothing about the claim limitations of (1) displaying a plurality of candidate objects on a display screen, (2) displaying a visual indication in association with a first candidate object of the displayed plurality of candidate objects in response to the first candidate object intersecting at least a portion of the candidate range indicator on the display screen, wherein (3) the visual indication is displayed in association with a first designation input interface comprising a system-assigned button on the input device, and (4) causing a predetermined action from the initial object with respect to the candidate object in response to actuation of the

first designation input interface button of the input device. It should be apparent that the proposed combination of Matsuno and Iwao also would not show such features.

Thus, it is asserted that the proposed combination of Matsuno and Iwao does not provide a prima facie case of obviousness, because the proposed combination of Matsuno and Iwao would not provide all the claim limitations. The claims, as amended and added by this response, define over the art of record and are in condition for allowance.

Any fees that may be due in connection with the filing of this paper, or during the entire pendency of this application, may be charged to Deposit Account No. 50-1213.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:   
\_\_\_\_\_  
David A. Hall  
Registration No. 32,233

Attorney Docket No.: 37090-2002  
Address all correspondence to:  
**David A. Hall**  
HELLER EHRMAN WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, California 92122-1246  
Telephone: (858) 450-8400  
Facsimile: (858) 450-8499  
EMAIL: dhall@hewm.com